



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

November 9, 2016
1609-PUD-16
Exhibit 1

Docket Number: 1609-PUD-16 (Ordinance No. 16-27)

Petitioner: Pulte Homes of Indiana, LLC by Ice Miller, LLP

Request: A change of zoning of 799 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Wood Wind Planned Unit Development (PUD) District to allow for a mixed-use development to include a golf course, single-family residential, multi-family residential and commercial uses.

Current Zoning: AG-SF1: Agriculture / Single-Family Rural District

Current Land Use: Undeveloped / Residential / Agriculture / Golf Course

Acreage: 799 acres +/-

Exhibits:

1. Department Report
2. Location Map (revised)
3. Concept Plans (revised)
4. Proposed Ordinance 16-27 (revised)
5. Petitioner's Response to Issues and Comments
6. Petitioner's Response to Comprehensive Plan Review
7. Financial Analysis (O.W. Krohn & Associates)
8. Woodland Analysis (Judd Scott Consulting Arborist)
9. Traffic Impact Study (A&F Engineering)

Staff Reviewer: Jesse M. Pohlman, Senior Planner

PETITION HISTORY

This petition was introduced at the [August 8, 2016, City Council meeting](#). The petitioner hosted two informational meetings on [August 11, 2016, and August 23, 2016](#), at the Wood Wind Golf Course Pavilion for neighbors and other interested parties (in accordance with Article 10.9(C)(1)(f)). The petition received a public hearing at the [September 6, 2016, Advisory Plan Commission](#) (the "Plan Commission") meeting.

At the October 17, 2016, Plan Commission meeting, the Department distributed a summary of the [list of issues and comments](#) that were raised as part of the initial public hearing, and the Department's analysis of the petition in [review of the Comprehensive Plan](#).

Since the public hearing, the petitioner has amended its application to include additional real estate (731 acres +/- to 799 acres +/-) (see [Exhibit 2](#)). As a result, **the amended application will require a new public hearing that has been scheduled and noticed for the November 21, 2016, Plan Commission meeting.**

PROCEDURAL UPDATE

At the November 9, 2016, Plan Commission meeting, prior to the additional public hearing on November 21, 2016, the petitioner will present its amended application and revisions since the initial public hearing. The information that will be presented includes:

- Revised PUD District Ordinance 16-27 and Concept Plans (see [Exhibit 4](#) and [Exhibit 3](#))
- Petitioner's Response to Issues and Comments (see [Exhibit 5](#))
- Petitioner's Response to Comprehensive Plan Review (see [Exhibit 6](#))
- Financial Analysis by O.W. Krohn & Associates (see [Exhibit 7](#))
- Woodland Analysis by Judd Scott Consulting Arborist (see [Exhibit 8](#))
- Traffic Impact Study by A&F Engineering (see [Exhibit 9](#))

Comments in response to the revisions and information that will be presented on November 9, 2016, will be collected and summarized separately from those comments submitted with the original version of the petition. **If interested parties wish to comment on the revisions, then verbal comments may be stated during the November 21, 2016, public hearing, and written comments may be submitted to the Department (jpohlman@westfield.in.gov) any time after November 9, 2016, leading up to and immediately following the November 21, 2016, Plan Commission meeting.**

Following the November 21, 2016, public hearing, the Department anticipates the petitioner will further refine its petition and present final revisions to the Plan Commission at a subsequent meeting for the Plan Commission's recommendation consideration, likely at either the December 5, 2016, or December 19, 2016, Plan Commission meeting.

PLANNED UNIT DEVELOPMENT (PUD) DISTRICT:

In accordance with Article 10.9 of the UDO, a petition for a Planned Unit Development (PUD) District is required to include the following:

Concept Plan Article 10.9(F)(2): The Concept Plan is required to show in general terms the following: major circulation; generalized location and dimensions of buildings, structures, and Parking Areas; Open Space areas; recreation facilities; and other details to indicate the character of the proposed development. In addition, the Concept Plan is required to show in detailed terms the following:

- 1) A site location map showing the project location and other development projects in the vicinity.
- 2) The name of the development, with the words "Concept Plan".
- 3) Boundary lines and acreage of each land use component.
- 4) Existing easements, including location, width and purpose.
- 5) Existing land use on abutting properties.

- 6) Other conditions on the site and adjoining land: topography (at 10-foot contours) including any embankments or retaining walls; use and location of buildings, railroads, power lines, towers and other influences; name of any adjoining subdivision.
- 7) Existing Streets on and adjacent to the tract, including Street name, Right-of-way width, walks, pathways and bridges and other drainage structures.
- 8) Proposed public improvements: collector and arterial Streets and other major improvements planned by the public for future construction on or adjacent to the tract.
- 9) Existing utilities on the tract.
- 10) Any land on the tract within the floodplain as depicted on the Flood Insurance Rate Maps dated March 11, 1983, and as subsequently amended.
- 11) Other conditions on the tract, including water courses, wetlands, sinkholes, wooded areas, existing structures and other significant features such as significant isolated trees.
- 12) Existing vegetation to be preserved and the locations, nature, and purpose of proposed landscaping.
- 13) Map data such as north point, graphic scale and date of preparation.

Comment: The Department is currently reviewing the revised Concept Plans to ensure Technical Advisory Committee comments regarding connectivity, emergency access and circulation have been addressed.

Written Character Statement (Article 10.9(F)(3): A written statement of character of the PUD District shall provide an explanation of the character of the PUD District and the reasons why it has been planned to take advantage of the flexibility of these regulations. The written statement shall include:

- 1) A specific explanation of how the proposed PUD District meets the objectives of all adopted land use policies which affect the land in question.
- 2) Development phasing indicating:
 - a. Phases in which the project will be built, including the area, density, use, public facilities, and Open Space to be developed with each phase. Each phase shall be described and mapped.
 - b. Projected dates for beginning and completion of each phase.
 - c. General details of the proposed uses:
- 3) Residential Uses: gross area, architectural concepts (narrative, sketch, or representative photo), number of units for each residential component; ii. Nonresidential Uses: specific nonresidential uses, including gross areas, architectural concepts (narrative, sketch, or representative photo), and Building Heights.
- 4) Preliminary feasibility reports for the infrastructure and facilities, including:
 - a. Streets
 - b. Street lighting
 - c. Sidewalks and pathways
 - d. Sanitary sewers
 - e. Water supply system
 - f. Other utilities

- g. Storm water management
- h. Schools

Development Amenities and Open Space (Article 10.9(F)(4): The PUD District Ordinance must include a statement of recreational amenities and open space. Such statements shall designate and convey active and/or passive recreational areas in accordance with the following:

- 1) Recreational amenities and open space shall be allocated to the property in proportion to the uses assigned in the PUD District and shall be located within reasonable walking distance to those uses; however, the recreational amenities need not be located in proximity to the use in the case of preservation of existing features.
- 2) If the PUD District Ordinance provides for development in stages, then amenities and open space shall be provided in each stage of the PUD District in proportion to that stage, unless otherwise indicated and approved in the PUD District Ordinance.
- 3) Amenities shall be conveyed in one of the following forms:
 - a. To a municipal or public corporation;
 - b. To a not-for-profit corporation or entity established for the purpose of benefiting the owners and tenants of the PUD District. All conveyances hereunder shall be structured to insure that the grantee has the obligation and the right to effect maintenance and improvement of the amenities and that such duty of maintenance and improvement is enforced by the owners and tenants of the PUD District; or
 - c. To owners other than those specified in subsections (i) and (ii) above, and subject to restrictive covenants describing and guaranteeing the amenities and its maintenance and improvement, running with the land for the benefit of residents of the PUD District or adjoining property owners or the community, or any combination of these.

Traffic Impact Study (Article 10.9(F)(5): A Traffic Impact Study may be required to be conducted at the discretion of the Director, the Department of Public Works Director, or the Plan Commission. If a Traffic Impact Study is required, then it shall be prepared by a registered professional engineer and shall evaluate the impact of present and future traffic generated by the proposed development on the adjacent roadway system. Prior to commencement, an Applicant shall meet with the Department to determine the appropriate scope for the study.

Comment: A traffic impact study was required by the Department and the Department of Public Works. The Department of Public Works has received the study and is currently reviewing it.

PLANNED UNIT DEVELOPMENT (PUD) DISTRICT REVIEW CRITERIA:

In accordance with Article 5.6 of the Unified Development Ordinance:

Purpose and Intent (Article 5.6(C)): The PUD District is intended to:

- 1) Encourage flexibility and innovation in the development of land in order to promote its most appropriate use.
- 2) Improve the design, character and quality of new developments.
- 3) Encourage a harmonious and appropriate mix of uses.
- 4) Facilitate the adequate and economic provision of streets, utilities and municipal services.
- 5) Preserve the natural environmental and scenic features of the site.
- 6) Encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features.
- 7) Mitigate problems which may be presented by specific site conditions.

Standard Criteria (Article 5.6(D)): A PUD District shall comply with the provisions of the UDO. In addition, a proposed PUD District should include concepts and development and design standards that generally offer the following advantages over a standard Zoning District:

- 1) Address the policies included in the Comprehensive Plan specific to the neighborhood so as to encourage consistency with the community's vision as presented in the Comprehensive Plan.
- 2) Use design to provide compatibility between areas of different land uses and development intensities within the PUD District.
- 3) Buffer different types of land uses and development intensities outside of the PUD District from those within the PUD District so as to increase compatibility or minimize any adverse impact which new development may have on existing or zoned development.
- 4) Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces and provide enhance amenities and open space.
- 5) Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area.
- 6) Promote architecture that complements the surroundings.
- 7) Counteract urban monotony and congestion on streets.

Review Criteria (Article 5.6(J)): In their consideration of a PUD District, the Department in its report to the Plan Commission, the Plan Commission in its recommendation, and the Council in its decision, shall consider as many of the following as may be relevant to the specific proposal:

- 1) The extent to which the proposed PUD District meets this Ordinance's purposes and intent of a PUD District, the Comprehensive Plan, and any other adopted planning policies, objectives or regulations of the jurisdiction.

- 2) The extent to which the proposed PUD District departs from the underlying Zoning District(s) and other regulations that are otherwise applicable to the subject property, including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons, which such departures are or are not deemed to be in the public interest.
- 3) The proposal will not be injurious to the public health, safety, and general welfare.
- 4) The physical design proposed by the PUD District and the extent to which it makes adequate provision for:
 - a) Public services;
 - b) Adequate control over vehicular traffic;
 - c) Protection of designated permanent Open Space; and
 - d) Furthering the amenities of light, air, recreation and visual appeal.
- 5) The relationship and compatibility of the proposed PUD District to the adjacent properties and neighborhood.
- 6) The desirability of the proposed PUD District in relation to the community's physical development, tax base and economic well-being.
- 7) The development proposed by the PUD District will not cause undue traffic congestion, and can be adequately served by existing or programmed public facilities and services or improvements that are proposed by the developer as a part of the project approval.
- 8) The development proposed by the PUD District preserves significant ecological, natural, historical, and architectural resources to the extent possible.

PROCEDURAL

Public Hearing: A change of zoning request is required to be considered at a public hearing by the Plan Commission. The initial public hearing for this petition was held at the September 6, 2016, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission's Rules of Procedure.

An additional public hearing is scheduled and will be noticed for the November 21, 2016, Plan Commission meeting for the amended application that incorporates additional real estate.

Statutory Considerations: Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

1. The Comprehensive Plan.
2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

Council Introduction: The petition was introduced at the August 8, 2016, Council meeting.

DEPARTMENT COMMENTS

1. **Action:** Presentation by the petitioner at the November 9, 2016, Plan Commission meeting. No additional action required. Hold a public hearing at the November 21, 2016, Plan Commission meeting.
2. The petitioner will make any necessary revisions to the petition based on Plan Commission comments, public comments and any additional Department comments, prior to the Plan Commission's further consideration of this petition.
3. If any Plan Commission member has questions prior to the public hearing, then please contact Jesse Pohlman at (317) 402-4380 or jpohlman@westfield.in.gov.